

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPLEMENTING THE PROVISIONS OF HOUSE BILL 2;
5 PROVIDING FOR INTERIM STUDIES ON EDUCATIONAL FISCAL MATTERS; REVISING LAWS RELATED
6 TO PRESERVING MONTANA INDIAN LANGUAGES; REVISING THE MONTANA INDIAN LANGUAGE
7 PRESERVATION PROGRAM; ELIMINATING THE TERMINATIONS OF THE MONTANA INDIAN LANGUAGE
8 PRESERVATION PROGRAM AND THE CULTURAL INTEGRITY COMMITMENT ACT; PROVIDING AN
9 APPROPRIATION; AMENDING SECTION 20-9-537, MCA; REPEALING SECTION 7, CHAPTER 410, LAWS
10 OF 2013, SECTIONS 3 AND 7, CHAPTER 426, LAWS OF 2015, SECTION 10, CHAPTER 442, LAWS OF
11 2015, SECTIONS 2, 3, 4, AND 9, CHAPTER 232, LAWS OF 2017, SECTIONS 1 THROUGH 7, CHAPTER 77,
12 LAWS OF 2019, AND SECTION 1, CHAPTER 171, LAWS OF 2019; PROVIDING FOR CONTINGENT
13 VOIDNESS; AND PROVIDING AN EFFECTIVE DATE."

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15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16

17 NEW SECTION. **Section 1. Legislative finance committee study of fiscal issues regarding**
18 **education -- reports to education interim committee.** (1) For the 2021-2022 interim, the legislative finance
19 committee provided for in 5-12-201 shall direct a study of the following topics related to education:

20 (a) Indian language preservation; and

21 (b) the Montana digital academy.

22 (2) (a) The legislative finance committee shall establish an education funding subcommittee to
23 complete its work in accordance with this section.

24 (b) The presiding officer of the legislative finance committee, in consultation with the presiding officer
25 of the joint appropriations subcommittee on education, shall appoint the members of the education funding
26 subcommittee with equal representation from the majority and minority parties and is encouraged to include
27 members of the joint appropriations subcommittee on education and the education interim committee.

28 (3) The results of the study must be presented in accordance with 5-11-210 to the legislative finance

1 committee and the education interim committee before September 1, 2022.

2 (4) The legislative fiscal division shall provide administrative staff support and fiscal analysis. The
3 legislative services division may provide research and legal support at the request of the education funding
4 subcommittee.

5

6 **Section 2.** Section 20-9-537, MCA, is amended to read:

7 **"20-9-537. (Temporary) Montana Indian language preservation program.** (1) There is a Montana
8 Indian language preservation program. The program is established to support efforts of Montana tribes to
9 preserve and perpetuate Indian languages in the form of spoken, written, sung, or signed language and to
10 assist in the preservation and curricular goals of Indian education for all pursuant to Article X, section 1(2), of
11 the Montana constitution and Title 20, chapter 1, part 5.

12 (2) (a) ~~The state-tribal economic development commission established in 90-1-134~~ office of public
13 instruction shall administer the program and, in collaboration with the Montana historical society, the state
14 director of Indian affairs, and each tribal government located on the seven Montana reservations and the Little
15 Shell Chippewa tribe, shall create program guidelines.

16 (b) The program guidelines must address performance and output standards, distribution of funds,
17 accounting of funds, and use of funds.

18 (c) The performance and output standards must include:

- 19 (i) development of audio and visual recordings;
- 20 (ii) creation of reference materials, which may be in audio, visual, electronic, or written format;
- 21 (iii) creation and publication of curricula, which may include electronic curricula; and
- 22 (iv) administration and maintenance of a long-term language preservation strategic plan.

23 (d) The performance and output standards may include:

- 24 (i) language classes;
- 25 (ii) language immersion camps;
- 26 (iii) storytelling;
- 27 (iv) publication of literature; and
- 28 (v) language programs, workshops, seminars, camps, and other presentations in formal or informal

1 settings.

2 (3) Any tangible goods produced under this section must be submitted within 1 year of production to
3 the Montana historical society for the benefit of related language preservation efforts and for preservation and
4 archival purposes.

5 (4) Tribal governments or their designees receiving program funds may form local program advisory
6 boards. Members of a local program advisory board may include but are not limited to representatives from any
7 of the entities listed in subsection (6).

8 (5) (a) Each tribal government or designee shall provide reports on expenditures of grant funds,
9 overall program progress, and other criteria required under the guidelines established pursuant to subsection
10 (2)(a) to the ~~state-tribal economic development commission~~ office of public instruction.

11 (b) The ~~state-tribal economic development commission~~ office of public instruction shall report any
12 findings, comments, or recommendations regarding each local program and the Montana Indian language
13 preservation program to the legislature as provided in 5-11-210.

14 (6) Tribal governments and their designees are encouraged to maximize the impact of grant funds by
15 forming partnerships among state and tribal entities and leveraging existing resources for the preservation of
16 Indian languages and the education of all Montanans in a way that honors the cultural integrity of American
17 Indians. Suggested partner entities include but are not limited to:

- 18 (a) the governor's office of Indian affairs;
- 19 (b) school districts located on reservations;
- 20 (c) tribal colleges;
- 21 (d) tribal historic preservation offices;
- 22 (e) tribal language and cultural programs;
- 23 (f) units of the Montana university system;
- 24 (g) the Montana historical society;
- 25 (h) ~~the office of public instruction~~ the state-tribal economic development commission;
- 26 (i) Montana public television organizations;
- 27 (j) school districts not located on reservations; and
- 28 (k) the Montana state library.

1 (7) State entities that operate film and video studios and equipment shall cooperate with each local
2 tribal preservation program in the production of materials for preservation and archival purposes.

3 (8) Any cultural and intellectual property rights from program efforts belong to the tribe. Use of the
4 cultural and intellectual property may be negotiated between the tribe and other partnering entities.

5 (9) A tribe may use payments received pursuant to this section as matching funds for federal or
6 private fund sources to accomplish the purposes of this section. (~~Terminates June 30, 2023--secs. 1 through 7,~~
7 ~~Ch. 77, L. 2019.~~)"

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9 **NEW SECTION. Section 3. Repealer.** Section 7, Chapter 410, Laws of 2013, sections 3 and 7,
10 Chapter 426, Laws of 2015, section 10, Chapter 442, Laws of 2015, sections 2, 3, 4, and 9, Chapter 232, Laws
11 of 2017, sections 1 through 7, Chapter 77, Laws of 2019, and section 1, Chapter 171, Laws of 2019, are
12 repealed.

13
14 **NEW SECTION. Section 4. Appropriation.** There is appropriated \$5,000 from the general fund to
15 the legislative fiscal division for the biennium beginning July 1, 2021, for the purposes of conducting the study
16 as set forth in [section 1].

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18 **NEW SECTION. Section 5. Contingent voidness.** If House Bill No. 497 is passed and approved,
19 then [sections 1 and 4] are void.

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21 **NEW SECTION. Section 6. Effective date.** [This act] is effective July 1, 2021.

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